

AMENDED IN ASSEMBLY APRIL 26, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

## ASSEMBLY BILL

**No. 2064**

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**Introduced by Assembly Member ~~Assembly Members John A. Perez and Bass~~**

February 18, 2010

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~~An act to amend Section 50800.5 of the Health and Safety Code, An act to add Section 50802.6 to the Health and Safety Code, relating to housing.~~

### LEGISLATIVE COUNSEL'S DIGEST

AB 2064, as amended, ~~Bass~~ *John A. Perez. Housing and Emergency Shelter Trust Fund Account. Emergency Housing Shelter Operations Grant Account: notice of funding availability.*

Existing law establishes the Emergency Housing and Assistance Fund, a continuously appropriated fund, that appropriates money to the Department of Housing and Community Development for the purposes of carrying out the Emergency Housing and Assistance Program. Existing law, ~~the Housing and Emergency Shelter Trust Fund Act of 2006, requires the transfer of \$50,000,000 from the proceeds of bonds issued pursuant to the State General Obligation Bond Law to the Emergency Housing and Assistance Fund for specified purposes~~ *requires the Department of Housing and Community Development to issue a notice or notices of funding availability to potential applicants and designated local boards as soon as possible after funding becomes available for the Emergency Housing and Assistance Program.*

This bill would create within the Emergency Housing and Assistance Fund ~~the Housing and Emergency Shelter Trust Fund Account. The bill would require that all moneys deposited in the fund pursuant to the~~

~~Housing and Emergency Shelter Trust Fund Act of 2006, and all interest, dividends, and pecuniary gains from these moneys be transferred to the Housing and Emergency Shelter Trust Fund Account.~~

*This bill would require the Department of Finance to make a timely determination as to the amount of General Fund moneys in the Emergency Housing Shelter Operations Grant Account within the Emergency Housing and Assistance Fund. The bill would require the Department of Housing and Community Development to issue a notice of funding availability to potential applicants and local boards, as applicable, indicating the amount of General Fund moneys in the Emergency Housing Shelter Operations Grant Account, as determined by the Department of Finance, that is available for the shelter operations program, no later than 30 days after the effective date of the bill.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     *SECTION 1. The Legislature finds and declares all of the*
- 2     *following:*
- 3     *(a) In recent years, California has seen a substantial increase*
- 4     *in its homeless population as a result of the national economic*
- 5     *downturn.*
- 6     *(b) The state's homeless population includes many of our*
- 7     *society's most vulnerable, including children, emancipated foster*
- 8     *youth, the unemployed, families undergoing home foreclosure or*
- 9     *other severe financial stress, individuals with mental health and*
- 10    *drug addiction issues, and veterans (who make up approximately*
- 11    *20 percent of the state's homeless population).*
- 12    *(c) The Department of Housing and Community Development,*
- 13    *through the Emergency Housing and Assistance Program, awards*
- 14    *facility operations grants from the Emergency Housing and*
- 15    *Assistance Fund for emergency shelters, transitional housing*
- 16    *projects, and supportive services to assist homeless individuals*
- 17    *and families.*
- 18    *(d) It is critically important that these facility operations grants*
- 19    *be made available as soon as possible to fund the shelters, projects,*
- 20    *and services necessary to alleviate the unfortunate plight of the*
- 21    *many Californians who are currently homeless.*

1     *SEC. 2. Section 50802.6 is added to the Health and Safety*  
2     *Code, to read:*

3     50802.6. (a) *For purposes of this section, the Department of*  
4     *Finance shall make a timely determination as to the amount of*  
5     *General Fund moneys in the Emergency Housing Shelter*  
6     *Operations Grant Account within the Emergency Housing and*  
7     *Assistance Fund.*

8     (b) *No later than 30 days after the effective date of the act*  
9     *adding this section, the Department of Housing and Community*  
10    *Development shall issue a notice of funding availability to potential*  
11    *applicants and local boards, as applicable, indicating the amount*  
12    *specified in subdivision (a) that is available for the shelter*  
13    *operations program.*

14    ~~SECTION 1. Section 50800.5 of the Health and Safety Code~~  
15    ~~is amended to read:~~

16    ~~50800.5. (a) There is hereby created in the State Treasury the~~  
17    ~~Emergency Housing and Assistance Fund. Notwithstanding Section~~  
18    ~~13340 of the Government Code, all money in the fund is~~  
19    ~~continuously appropriated to the department to carry out the~~  
20    ~~purposes of this chapter. Any repayments, interest, or new~~  
21    ~~appropriations shall be deposited in the fund, notwithstanding~~  
22    ~~Section 16305.7 of the Government Code. Money in the fund shall~~  
23    ~~not be subject to transfer to any other fund pursuant to any~~  
24    ~~provision of Part 2 (commencing with Section 16300) of Division~~  
25    ~~4 of Title 2 of the Government Code, except to the Surplus Money~~  
26    ~~Investment Fund.~~

27    ~~(b) All moneys in the Emergency Housing and Assistance Fund,~~  
28    ~~created pursuant to Section 50800.5 as it existed prior to the~~  
29    ~~effective date of the act that adds this chapter, shall be transferred,~~  
30    ~~on the effective date of the act that adds this chapter, to the~~  
31    ~~Emergency Housing and Assistance Fund created by subdivision~~  
32    ~~(a).~~

33    ~~(c) The department may require the transfer of moneys in the~~  
34    ~~Emergency Housing and Assistance Fund to the Surplus Money~~  
35    ~~Investment Fund for investment pursuant to Article 4 (commencing~~  
36    ~~with Section 16470) of Chapter 3 of Part 2 of Division 4 of Title~~  
37    ~~2 of the Government Code. All interest, dividends, and pecuniary~~  
38    ~~gains from these investments shall accrue to the Emergency~~  
39    ~~Housing and Assistance Fund, notwithstanding Section 16305.7~~  
40    ~~of the Government Code.~~

1     ~~(d) (1) There is hereby created within the Emergency Housing~~  
2     ~~and Assistance Fund the Housing and Emergency Shelter Trust~~  
3     ~~Fund Account.~~  
4     ~~(2) All moneys deposited in the Emergency Housing and~~  
5     ~~Assistance Fund pursuant to Part 12 (commencing with Section~~  
6     ~~53540) and all interest, dividends, and pecuniary gains from these~~  
7     ~~moneys shall be transferred to the account created in paragraph~~  
8     ~~(1).~~

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